

Mr. Reid

THE NATIONAL ARCHIVES  
LITTERA  
SCRIPTA  
MANET  
FEDERAL REGISTER  
OF THE UNITED STATES  
1934  
VOLUME 12  
NUMBER 78

Washington, Saturday, April 19, 1947

**TITLE 7—AGRICULTURE**

**Subtitle A—Office of the Secretary of Agriculture**

**PART 9—PRICE SUPPORT OF AGRICULTURAL COMMODITIES**

**SUPPORT PRICES FOR HOGS**

Public announcement has heretofore been made (6 F. R. 4644; 7 F. R. 422, 9986; 8 F. R. 12524; 9 F. R. 4837), pursuant to the provisions of section 4 (a) of the act approved July 1, 1941 (55 Stat. 498), as amended October 2, 1942 (56 Stat. 768); February 28, 1944 (58 Stat. 105); that it was necessary to encourage the expansion of the production of certain agricultural commodities, including hogs. Hogs were first designated as a commodity subject to support prices under the above legislation on August 29, 1941.

Hog support prices have heretofore been based on a marketing year for hogs running from October 1 of one calendar year through September 30 of the following calendar year. Hog production, however, consists of two crops—a spring crop and a fall crop. The marketing season for the spring crop is normally the period October 1 through March 31. The marketing season for the fall crop is normally the period April 1 through September 30. In the circumstances it is desirable that the support price for each crop be based upon the parity price of hogs as of the beginning of the marketing season for such crop. It is therefore announced that the support price for the spring crop of hogs will be based upon the parity price of hogs as of October 1 and the support price for the fall crop of hogs will be based upon the parity price for hogs as of April 1. The September 15 parity, the latest available as of October 1, will be used in determining the parity price of hogs as of October 1 and the March 15 parity, the latest available parity as of April 1, will be used in determining the parity price of hogs as of April 1.

Accordingly, based upon the March 15 parity for hogs, the following provision is hereby substituted for the corresponding provisions relating to the level and period of support of hogs in the announcement heretofore made:

§ 9.1 Hogs. The support price for good and choice barrow and gilt butcher

hogs for the period April 1, 1947, through September 30, 1947, shall average, on an annual basis with seasonal variations, \$15.60 per hundred pounds at Chicago with appropriate differentials for other markets. (Sec. 4 (a), 55 Stat. 498, as amended, 15 U. S. C. Sup.; 713a-8).

Done at Washington, D. C., this 15th day of April 1947.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-3749; Filed, Apr. 18, 1947;  
8:50 a. m.]

**Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)**

[Orange Reg. 117]

**PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA**

**LIMITATION OF SHIPMENTS**

§ 933.343 *Orange Regulation 117—(a) Findings.* (1) Pursuant to the amended marketing agreement and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq.; 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 21, 1947, and ending at 12:01 a. m., e. s. t., April 28, 1947, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (11 F. R. 13239; 12 F. R. 1)); or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size larger than a size that will pack 150 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09)).

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 16th day of April 1947.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 47-3787; Filed, Apr. 18, 1947;  
8:50 a. m.]

[Lemon Reg. 218]

#### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATION OF SHIPMENTS

§ 953.325 *Lemon Regulation 218—(a) Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1, et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when

information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., April 20, 1947, and ending at 12:01 a. m., P. s. t., April 27, 1947, is hereby fixed at 400 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 217 (12 F. R. 2401) and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 17th day of April 1947.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 47-3812; Filed, Apr. 18, 1947;  
8:58 a. m.]

[Grapefruit Reg. 45]

#### PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

##### LIMITATION OF SHIPMENTS

§ 955.306 *Grapefruit Regulation 45—(a) Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation of the Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found that the limitation of shipments of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule

making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* During each of the periods specified in subparagraphs (1), (2), and (3) of this paragraph, no handler shall ship any grapefruit except as permitted by the respective subparagraphs.

(1) During the period beginning at 12:01 a. m., P. s. t., April 20, 1947, and ending at 12:01 a. m., P. s. t., May 18, 1947, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, which grade lower than U. S. No. 2 grade, as such grades are defined in the revised United States Standards for Grapefruit (California and Arizona), 12 F. R. 1975; or

(ii) From the State of California or the State of Arizona to any point outside thereof in Canada, any such grapefruit (a) which are of a size smaller than  $3\frac{1}{16}$  inches in diameter, or (b) which are of a size larger than  $4\frac{1}{16}$  inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted, and a tolerance of 5 percent, by count, of grapefruit larger than such maximum size shall be permitted, which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona): *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than  $3\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $3\frac{1}{16}$  inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are larger than  $4\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $4\frac{1}{16}$  inches in diameter and larger.

(2) During the period beginning at 12:01 a. m., P. s. t., April 20, 1947, and ending at 12:01 a. m., P. s. t., April 27, 1947, no handler shall ship, from the State of California or the State of Arizona to any point outside thereof in the United States, any such grapefruit (i) which are of a size smaller than  $3\frac{1}{16}$  inches in diameter, or (ii) which are of a size larger than  $4\frac{1}{16}$  inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted, and a tolerance



of 5 percent, by count, of grapefruit larger than such maximum size shall be permitted, which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona): *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than  $3\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $4\frac{1}{16}$  inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are larger than  $4\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $4\frac{1}{16}$  inches in diameter and larger.

(3) During the period beginning at 12:01 a. m., p. s. t., April 27, 1947, and ending at 12:01 a. m., p. s. t., May 18, 1947, no handler shall ship, from the State of California or the State of Arizona to any point outside thereof in the United States, any such grapefruit (i) which are of a size smaller than  $3\frac{1}{16}$  inches in diameter, or (ii) which are of a size larger than  $4\frac{1}{16}$  inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted, and a tolerance of 5 percent, by count, of grapefruit larger than such maximum size shall be permitted, which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona): *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than  $3\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $3\frac{1}{16}$  inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are larger than  $4\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $4\frac{1}{16}$  inches in diameter and larger.

(4) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 16th day of April 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 47-3788; Filed, Apr. 18, 1947;  
8:50 a. m.]

[Orange Reg. 174]

PART 966—ORANGES GROWN IN CALIFORNIA  
AND ARIZONA

#### LIMITATION OF SHIPMENTS

§ 966.320 Orange Regulation 174—  
(a) Findings. (1) Pursuant to the pro-

visions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) Order. (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., p. s. t., April 20, 1947, and ending at 12:01 a. m., p. s. t., April 27, 1947, is hereby fixed as follows:

(i) Valencia oranges. (a) Prorate Districts Nos. 1 and 2, no movement; and (b) Prorate District No. 3, 60 carloads.

(ii) Oranges other than Valencia oranges. (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1,100 carloads; and (c) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handler," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 17th day of April 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and  
Marketing Administration.

#### PRORATE BASE SCHEDULE

[12:01 a. m. April 20, 1947, to 12:01 a. m. April 27, 1947]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.2279
A. F. G. Fullerton	.0571
A. F. G. Orange	.0627
A. F. G. Redlands	.3996
A. F. G. Riverside	.7082
Corona Plantation Co.	1.2052
Hazeltine Packing Co.	.0000
Signal Fruit Association	.8719
Azusa Citrus Association	.0000
Azusa Orange Company, Inc.	.1817
Damerel-Allison Co.	1.3757
Glendora Mutual Orange Association	.0000
Irwindale Citrus Association	.4034
Puente Mutual Citrus Association	.0413
Valencia Heights Orchards Association	.2600
Glendora Citrus Association	.0000
Glendora Heights Orange & Lemon Growers Association	.0000
Gold Buckle Association	3.8942
La Verne Orange Association, The	3.9098
Anaheim Citrus Fruit Association	.0000
Anaheim Valencia Orange Association	.0000
Eadington Fruit Co., Inc.	.0000
Fullerton Mutual Orange Association	.0000
La Habra Citrus Association	.0000
Orange Co. Valencia Association	.0000
Orangethorpe Citrus Association	.0000
Placentia Coop. Orange Association	.0000
Yorba Linda Citrus Association, The	.0000
Alta Loma Heights Citrus Association	.4449
Citrus Fruit Growers	.7626
Cucamonga Citrus Association	.4448
Etiwanda Citrus Fruit Association	.2542
Mountain View Fruit Association	.1829
Old Baldy Citrus Association	.5712
Rialto Heights Orange Growers	.4762
Upland Citrus Association	2.6595
Upland Heights Orange Association	1.3048
Consolidated Orange Growers	.0000
Garden Grove Citrus Association	.0000
Goldenwest Citrus Association, The	.0000
Olive Heights Citrus Association	.0071
Santa Ana-Tustin Mutual Citrus Association	.0000
Santiago Orange Growers Association	.0000
Tustin Hills Citrus Association	.0000
Villa Park Orchards Association, Inc., The	.0000
Bradford Brothers, Inc.	.0000
Placentia Mutual Orange Association	.0000
Placentia Orange Growers Association	.0000
Call Ranch	.7442
Corona Citrus Association	.8863
Jameson Co.	.4222
Orange Heights Orange Association	1.0152
Break & Son, Allen	.5152
Bryn Mawr Fruit Growers Association	1.2298
Crafton Orange Growers Association	1.5695
E. Highlands Citrus Association	.4783
Fontana Citrus Association	.5031
Highland Fruit Growers Association	.7716
Krindard Packing Co.	1.4872
Mission Citrus Association	.9027
Redlands Coop. Fruit Association	1.9915
Redlands Heights Groves	1.0211
Redlands Orange Growers Association	1.3461



## PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Orangedale Association	1.0826
Redlands Select Groves	.6547
Rialto Citrus Association	.6034
Rialto Orange Co.	.4206
Southern Citrus Association	1.1185
United Citrus Growers	.8111
Zillen Citrus Co.	1.1342
Arlington Heights Fruit Co.	.5120
Brown Estate, L. V. W.	2.3755
Gavilan Citrus Association	1.9236
Hemet Mutual Groves	.4443
Highgrove Fruit Association	.7113
McDermont Fruit Co.	1.8162
Mentone Heights Association	1.2888
Monte Vista Citrus Association	1.3033
National Orange Co.	1.0797
Riverside Heights Orange Growers Association	1.4683
Sierra Vista Packing Association	.8866
Victoria Ave. Citrus Association	2.8525
Claremont Citrus Association	1.1078
College Heights Orange & Lemon Association	1.1972
El Camino Citrus Association	.5950
Indian Hill Citrus Association	1.2065
Pomona Fruit Growers Association	2.3029
Walnut Fruit Growers Association	.3774
West Ontario Citrus Association	1.7763
El Cajon Valley Citrus Association	.0000
Escondido Orange Association	.0043
San Dimas Orange Growers Associa- tion	1.3064
Covina Citrus Association	1.7164
Covina Orange Growers Association	.5706
Duarte-Monrovia Fruit Exchange	.4815
Ball & Tweedy Association	.0000
Canoga Citrus Association	.0000
N. Whittier Heights Citrus Asso- ciation	.0000
San Fernando Fruit Growers Associa- tion	.0000
San Fernando Heights Orange Associa- tion	.3978
Sierra Madre Lamanda Citrus Asso- ciation	.0000
Camarillo Citrus Association	.0124
Fillmore Citrus Association	.0000
Ojai Orange Association	1.2012
Piru Citrus Association	.0000
Santa Paula Orange Association	.0000
Tape Citrus Association	.0113
East Whittier Citrus Association	.0000
Whittier Citrus Association	.0000
Whittier Select Citrus Association	.0000
Anaheim Coop. Orange Association	.0000
Bryn Mawr Mutual Orange Associa- tion	.5462
Chula Vista Mutual Lemon Associa- tion	.0000
Escondido Coop. Citrus Association	.0000
Euclid Avenue Orange Association	2.7291
Foothill Citrus Union, Inc.	.1349
Fullerton Coop. Orange Association	.0000
Garden Grove Orange Coop.	.0000
Glendora Coop. Citrus Association	.1022
Golden Orange Groves, Inc.	.4667
Highland Mutual Groves, Inc.	.4914
Index Mutual Association	.0000
La Verne Coop. Citrus Association	3.1581
Olive Hillside Groves, Inc.	.0000
Orange Coop. Citrus Association	.0121
Redlands Foothill Groves	2.4840
Redlands Mutual Orange Associa- tion	1.1921
Riverside Citrus Association	.0000
Ventura County Orange and Lemon Association	.2543
Whittier Mutual Orange and Lemon Association	.0000
Babijuce Corp. of Calif.	.0000
Banks Fruit Co.	.0000
California Fruit Distributors	.0000

## PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Cherokee Citrus Co., Inc.	1.1172
Chess Co., Meyer W.	.2475
Evans Brothers Packing Co.	.7889
Gold Banner Association	2.1782
Granada Hills Packing Co.	.0259
Granada Packing House	.0000
Hill, Fred A.	.8115
Inland Fruit Dealers, Inc.	.2818
Orange Belt Fruit Distributors	2.6943
Panno Fruit Co., Carlo	.1092
Paramount Citrus Association	.0000
Riverside Growers, Inc.	.4603
San Antonio Orchards Association	1.3586
Snyder & Sons Co., W. A.	1.0908
Verity & Sons Co., R. H.	.1123
Wall, E. T.	1.7150
Western Fruit Growers, Inc., Red- lands	3.0580
Yorba Orange Growers Association	.0367

## VALENCIA ORANGES

## Prorate District No. 3

Handler	Prorate base (percent)
Total	100.0000
Allen-Young Citrus Packing Co.	.4242
Consolidated Citrus Growers	4.2737
Leppia-Pratt Produce Distributors, Inc.	5.3847
McKellips Mutual Citrus Growers	14.5168
McKellips Phoenix Citrus Co., C. H.	1.8040
Phoenix Citrus Packing Co.	2.6573
Arizona Citrus Growers	21.5192
Desert Citrus Growers	3.0802
Mesa Citrus Growers	13.0446
Imperial Valley Grapefruit Grow- ers	.0000
Yuma Mesa Fruit Growers Associa- tion	6.0784
Arizona Citrus Products Co.	2.3647
Libbey Fruit Co.	5.2398
Pioneer Fruit Co.	3.9938
Tempe Citrus Co.	2.6293
Champion Produce House, L. M.	.5747
Commercial Citrus Packing Co.	1.3315
Dhuyvetter Bros.	.9017
Ishikawa, Paul	.0602
Macchiaroli Fruit Co., James	2.2835
Morris Brothers Fruit Co.	.7868
Orange Belt Fruit Distributors	3.2972
Paramount Citrus Association	.7001
Potato House, The	.3507
Russo Brothers	.2303
Sharp Co., K. K.	.1498
Valley Citrus Packing Co.	2.3228

[F. R. Doc. 47-3811; Filed, Apr. 18, 1947;  
8:58 a. m.]TITLE 10—ARMY: WAR  
DEPARTMENTSubtitle A—Organization, Functions  
and ProceduresPART 1—DESCRIPTION OF CENTRAL AND  
FIELD AGENCIES

## MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of section 3 (a) (1) and (2) of the Administrative Procedure Act of June 11, 1946, Part 1, 10 CFR, Subtitle A (11 F. R. 177A-761 and 177A-763) is amended as follows:

1. Delete the last sentence of § 1.2 (a).
2. Amend the last sentence of paragraph (d) of § 1.3 to read as follows:

§ 1.3 Assignment of functions estab-  
lished by statute. \* \* \*

(d) \* \* \* The functions, duties and powers of the Quartermaster General relating to the procurement and supply of general purpose vehicles and for all third or higher echelon vehicle maintenance are assigned to the Chief of Ordnance.

3. Section 1.4 is amended by revising paragraph (a), and that part of the text of paragraph (b), pertaining to assigning functions of command, which reads "To Commanding General, Seventh Army, Third Army Area" is changed as set forth below.

§ 1.4 Organization of continental United States. (a) For command of all activities except activities of the Army Air Forces and exempted installations, the continental United States is divided as follows:

First Army Area—States presently included in the First and Second Service Commands.  
Second Army Area—States presently included in the Third and Fifth Service Commands.  
Third Army Area—States presently included in the Fourth Service Command.  
Fourth Army Area—States presently included in the Eighth Service Command.  
Fifth Army Area—States presently included in the Sixth and Seventh Service Commands.  
Sixth Army Area—States presently included in the Ninth Service Command.  
Military District of Washington, District of Columbia, and such adjacent territory as may be prescribed from time to time.

(b) All functions of command \* \* \*

To Commanding General Third Army—Third Army Area.

4. Section 1.14 is superseded by the following:

§ 1.14 Director of Research and Development. The Director of Research and Development, War Department General Staff, is the adviser to the Secretary of War and the Chief of Staff on all War Department matters relating to research and development. He has primary General Staff responsibility for the mobilization and application of national research and development resources in support of the mission of the Army in peace and in national emergency. He has General Staff responsibility for the initiation, allocation, coordination, and progress of research and development programs; for insuring correlation of user interest in connection with research and development activities; and for the correlation of War Department research and development plans, policies, objectives, and programs with the Army-wide plans, policies, objectives, and programs.

(60 Stat. 238; 5 U. S. C. Sup. 1002; E. O. 9082, Feb. 28, 1943, 3 CFR Cum. Supp., as amended by E. O. 9722, May 13, 1946, 11



F. R. 5281) [W. D. Cir. 138, 1946 as amended by Cir. 69, 1947]

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-3759; Filed, Apr. 18, 1947;  
8:52 a. m.]

### Chapter III—Claims and Accounts

#### PART 306—CLAIMS AGAINST THE UNITED STATES

##### MISCELLANEOUS AMENDMENTS

Part 306 is amended in the following respects:

Section 306.28 is revoked effective June 30, 1947, and §§ 306.30 and 306.40 are superseded by the following:

§ 306.28 *Recovered personnel.* [Revoked.]

§ 306.30 *Apprehension of absentees and deserters—(a) Military personnel.* All military personnel are authorized to arrest absentees and deserters, whatever may be the grade of the person making the arrest or the person arrested.

(b) *Civil personnel.* Any civil officer or citizen may arrest, detain, and deliver an absentee or deserter when authorized by an officer of the Army. Such authority may be given by distributing Form 45 (Descriptive List of Absentee Wanted by United States Army), or in reply to an inquiry in accordance with paragraph (c) of this section.

(c) *Inquiry from civil officer or citizen.* Upon receipt of word by a post or organization commander from a civil officer or other citizen that such civilian intends to arrest, or has arrested, an alleged absentee or deserter from his post or organization, the commander will ascertain such person's status and will promptly inform the inquirer and the soldier's organization commander (if other than his own) concerning it, by telephone, telegraph, or other expeditious means. If the person held is an absentee or deserter, the commander will request the person holding him either to deliver him to, or request a guard from the nearest military post, or hold him awaiting the arrival of the guard, and will inform such person of his right to payment for his services. See § 306.32.

(d) *Guards.* Upon receipt of information that a civil officer, or other civilian, is holding an absentee or deserter, the post commander will cause a guard to be sent with all reasonable speed and in any event not later than 24 hours after receipt of the notification. If it is impracticable for the commanding officer receiving the notification to provide a guard from his command, he will make arrangements with a commander capable of providing a guard, or will report the case to the commanding general of the army concerned.

(e) *Commanding generals of armies (ZI).* Commanding generals of armies (ZI) will take steps to secure the active cooperation of all State and local police forces, and such other officials and organizations as they may deem useful to in-

sure that absentees and deserters are returned promptly to military control.

§ 306.40 *Property of absentee.* (a) When a soldier absents himself without leave, his company commander will cause the public property, including clothing, for which the absentee is responsible, to be searched for and secured. His personal effects will be inventoried and retained with his organization until he returns to military control, or until he is dropped from the rolls as AWOL. In the latter case they will be disposed of as follows:

(1) Decorations, medals, discharges, and other military papers will be forwarded to The Adjutant General.

(2) Articles having material value will be disposed of by auction sale within the organization and the proceeds therefrom, together with any money left by the absentee, will be deposited with a disbursing officer, whose receipt will be taken and forwarded to The Adjutant General. The receipt will show the nature of the deposit, whether from the proceeds of sale, or money left by the absentee.

(3) Articles having no salable value will be destroyed.

(b) In no case will the effects of an absentee, or any proceeds of the sale thereof, be turned over to his relatives, nor any payment made therefrom on any account, except with the approval of the War Department.

(R. S. 161; 47 Stat. 1575; 5 U. S. C. 23; 10 U. S. C. 1431) [AR 615-300, Mar. 17, 1947]

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-3758; Filed, Apr. 18, 1947;  
8:52 a. m.]

## TITLE 15—COMMERCE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

#### PART 360—ORGANIZATION, FUNCTIONS AND PROCEDURE OF THE OFFICE OF INTERNATIONAL TRADE

##### BRITISH TOKEN IMPORT PLAN

Subpart B is amended by adding thereto a new § 360.15A to read as follows:

§ 360.15A *Procedure relating to the British Token Import Plan.* The procedure governing administration of the British Token Import Plan, and the role of the Office of International Trade therein, have been revised as set forth in this section:

(a) *Introduction—(1) What the plan is.* The "British Token Import Plan" is an arrangement with the British Government which permits United States manufacturers, their authorized agents, or other qualified exporters, with established pre-war trade connections in the United Kingdom (England, Scotland, Wales, and Northern Ireland) to export to that area token shipments of specified commodities, the importation of which the British Government prohibited as a

war measure. Under the plan, the British Government will permit imports in a yearly amount not to exceed 20% of the value of the average annual shipments of the specified commodities of each qualified exporter during a base period consisting of the years 1936, 1937, and 1938. The British Government requires appropriate evidence, issued under authority of the United States Government, that manufacturers wishing to take advantage of opportunities under the arrangement did in fact make shipments of the commodities to the United Kingdom during the base period. The Office of International Trade has agreed to act as certifying agent and issue appropriate certificates, in the form of token scrip, which the exporter forwards to the British importer for presentation to the British Board of Trade as a basis for obtaining an import license.

(2) *How to secure information.* Announcements regarding the British Token Import Plan will no longer appear in Current Export Bulletins or Comprehensive Export Schedules. Hereafter, all official announcements regarding the plan will be published in the "Foreign Commerce Weekly," subscription to which may be arranged through the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Announcements will also be made in press releases which will be available to trade journals. Copies of announcements (including lists of commodities currently subject to the plan) as well as all forms needed in connection with the plan may be obtained from the Office of International Trade, Areas Branch, British Token Import Plan Unit, Washington, D. C., or from any of the Field Offices of the Department of Commerce.

(3) *Effect on export restrictions.* The issuance of token scrip in no way affects United States export restrictions which may be applicable to commodities coming under the plan.

(b) *Procedure for obtaining certification of prewar exports—(1) Eligibility* (i) Manufacturers, or their duly authorized agents, who exported any of the items on the approved list to the United Kingdom (England, Scotland, Wales, and Northern Ireland) during the base period 1936, 1937, and 1938, are eligible for certification under the plan. "Manufacturer" means an individual, firm or corporation which produces directly or indirectly products sold through established markets. "Authorized agent" means an export merchant, export commissioner, or any other person who has been authorized by the manufacturer to handle products produced by the manufacturer. Such an individual cannot be certified under the plan without a letter from the manufacturer addressed to the Office of International Trade, specifically authorizing him to apply for certification for the manufacturer's total basic quota or for a portion of the total basic quota. Such authorization must be submitted for each calendar year or otherwise must state the period of time for which the authorization is made. "Basic quota" means 20% of the value of manufacturer's average annual shipments of the product to the United Kingdom during the base period years 1936, 1937, and 1938. If a manu-



facturer authorizes an agent, or agents, to apply for certification of only a portion of the quota, the manufacturer may apply for certification of the balance.

(ii) Individuals or firms, other than manufacturers, having an established export trade from the United States to the United Kingdom during the years 1936, 1937, and 1938 in the items on the approved list, may be eligible if they can demonstrate clearly that such trade was developed by them and not by a manufacturer. Any person who is not a manufacturer, or an authorized agent, who feels that he is eligible for participation under the plan should request a determination of eligibility from the Office of International Trade, Areas Branch, British Token Import Plan Unit. Such a request should fully identify his export connections during the years 1936, 1937, and 1938 with the United Kingdom and should explain in detail his reasons for requesting eligibility under the plan.

(2) *Applying for certification—(i) Time and manner of submitting application.* Applications for certification shall be made in triplicate on Form IT-558 (Rev.), "Request for Certification of Pre-War Exports to the United Kingdom," and submitted to the Office of International Trade, Areas Branch, British Token Import Plan Unit, Washington, D. C. A separate application, Form IT-558 (Rev.), shall be submitted for each commodity group covered by the plan and shall give the information requested on the application form. The commodity description, section 3, should include brand name(s) for all branded products included in the applicant's export figures for the base period. The quantity and value of exports listed under section 6 should cover only the permitted types of each commodity shown on the approved list. All data shown on the form must be based upon actual records or other documentary evidence. Only those applications will be considered which have the certification on the bottom of the form executed.

Applicants who received token scrip during the year 1946 should indicate, under section 5, the IT case number assigned to such scrip, in addition to stating their own reference number, but the data submitted in the previous application should be rechecked before insertion in the 1947 form. Because of the haste with which the plan was put into operation last year and the difficulties of securing data that corresponded exactly with commodity definitions, etc., there has been a tendency for pre-war exports, in some cases, to be over-estimated. Applicants are, therefore, urged to re-examine their figures carefully and make whatever corrections may be necessary in filling out their 1947 applications.

All applications should be filed as early in the year as possible. With respect to commodities on the approved list, as of March 10, 1947, the following conditions will apply:

(a) Only those applications received on or before April 30, 1947, can be assured of consideration as claims for full annual basic quotas.

(b) Applications received later than April 30, 1947, may require treatment as partial claims entitling applicants to allotments of scrip only in proportion to the number of months remaining after the applications are received.

(c) No applications for 1947 scrip can be accepted after September 30, 1947.

With respect to any commodity which may be added to the approved list after March 10, 1947, program operation dates will be appropriately adjusted and will be announced when notice is published of the inclusion of the new commodity under the plan.

(i) *Acknowledgment card (Form IT-116).* Acknowledgment card, Form IT-116, shall be filed in by the applicant and submitted with each application. The portion of the card returned to the applicant will inform him of the case number assigned to the application.

(ii) *Evidence of authority.* If an application is signed by an agent, it will be necessary to have evidence of authorization as explained above.

(3) *Action by office of International Trade—(i) Numbering and certifying applications.* Upon receipt of Form IT-558 (Rev.) by the Office of International Trade, a number is assigned to the application for identification purposes. The first part of the number corresponds to the commodity group number assigned to the item as shown on the approved list. The second part of the number is a numerical case number. For example, number 17-435 indicates that the application covers "Lawnmowers," since "17" is the commodity group for lawnmowers and "435" is the numerical case number.

When an applicant has been approved for participation under the plan, the Department of Commerce certification stamp is placed on all three copies of the application. The original copy is returned to the applicant, together with token scrip. The duplicate copy is retained by the Office of International Trade, and the triplicate copy is forwarded to the British Board of Trade. If scrip cannot be issued for the total amount of the basic quota requested on the application, notice will be sent to the applicant and to the Board of Trade of the amount of scrip which is being issued as an interim allotment pending verification or adjustment of the claim as explained in subdivision (ii) of this subparagraph.

(ii) *Issuance of token scrip.* When an application is approved in full or in part, scrip will be issued in denominations requested by the applicant under section 7 of Form IT-558 (Rev.) totalling, to the nearest \$25, an amount determined as explained in the subdivisions (a) and (b) of this subdivision. When issued, scrip is given a number identical with the number assigned to the certified application, Form IT-558 (Rev.). Scrip is neither transferable nor negotiable. It cannot be transferred by the certified manufacturer to another manufacturer of the same commodity or to a manufacturer of another product, nor can it be used by the holder for a product other than the one for which it was issued.

Under the terms of the plan, as established by the British Government, import

licenses will be issued by the British Board of Trade, up to 20% of each United States applicant's pre-war exports into the United Kingdom. Since the total exports of these items, as reported by individual applicants, should not exceed 20% of the total imports for each commodity during the base period, the pre-war exports certified by the Office of International Trade and scrip issued under such certification must be kept within the overall national quotas computed from official trade statistics and mutually accepted by the Department of Commerce and the British Board of Trade.

In order to operate the plan with the flexibility needed for convenience of American exporters, and, at the same time, with assurance that total national quotas will not be exceeded in any way which would endanger the continuance of the program, it is necessary to issue scrip on an installment basis. It is to be expected that scrip can be issued during the year to the full amount of each applicant's basic quota, but since errors are possible and time is therefore required before there can be complete assurance that all data are accurate, the quantities of scrip will be issued from time to time in installments as follows:

(a) *Applications filed on or before April 30, 1947 (or in the case of new commodities, within two months after announcement of the addition of the commodity to the approved list).* For applications filed by April 30, 1947, in accordance with instructions in this section, the procedure will be, in general, to issue scrip immediately upon receipt of the application in an amount totaling approximately one-third of the applicant's basic quota. As soon as possible after April 30, 1947 (or after two months, in the case of new commodities), a second installment of scrip will be issued in as large amount as practicable. If it is clear that there will be no danger of the total of all applications covering a specific commodity exceeding the over-all national quota for that commodity, scrip will be issued for the full remainder of the individual's basic quota. The amount of the initial and subsequent installments of scrip will vary for different commodities. Applicants having justifiable need for the full issue of scrip may request that arrangements be made to have their records and documents examined by a Department of Commerce representative. If this is done, and it is found that the full claim is substantiated, scrip will then be issued for the total unissued balance of the basic quota. Final issue of all scrip will be made as soon as possible after closing date for filing applications, September 30, 1947.

(b) *Applications filed after April 30, 1947, but prior to October 1, 1947.* Applications filed after April 30, 1947, will be certified in amounts consistent with any balance of the over-all national quota which was not applied for on or before April 30, 1947. This will apply similarly to new commodity applications which are received more than two months after announcement of the addition of the commodity to the approved list. In these cases scrip will also be



issued in installments as explained in subdivision (a) of this subdivision.

(4) *Use of token scrip by certified exporter.* When the certified exporter receives an order from a United Kingdom importer, he should forward to the importer sufficient scrip, to the nearest \$25 to cover the order. The importer will attach the scrip to his application for an import permit. The British Board of Trade, upon receipt of the import license application and accompanying scrip, will, prior to issuance of an import permit, check the application and scrip against the certified copy of the Form IT-558 (Rev.) forwarded from the Office of International Trade.

(5) *Validity period of scrip.* Scrip issued for 1947 will be valid and accepted by the British Board of Trade through February 29, 1948.

(c) *Procedure for requesting additions to list.* Manufacturers or other eligible persons who exported to the United Kingdom (England, Scotland, Wales, and Northern Ireland) during the years 1936, 1937, and 1938, products other than those on the approved list, may request that the plan be made applicable to such products. A separate request must be made for each commodity by filing, in triplicate, Form IT-570, "Request for Addition of Commodity to the British Token Import Plan," with the Office of International Trade, Areas Branch, British Token Import Plan Unit, Washington, D. C. The Office of International Trade forwards two copies of the form to the American Embassy in London for transmittal to the British Board of Trade. The completeness of the information furnished on the form will be a major factor in determining acceptance by the Board of Trade. Effectiveness of presentation will be increased if manufacturers who exported to the United Kingdom during the base period make a joint request through their trade association. The applicant will be notified of whatever action is taken by the Board of Trade and announcement of all additions to the list will be made in press releases and the Foreign Commerce Weekly. (Pub. Law 404, 79th Cong., 60 Stat. 237)

Issued this 14th day of April 1947.

[SEAL] THOMAS C. BLAISDELL, Jr.,  
Director.

[F. R. Doc. 47-3764; Filed, Apr. 18, 1947;  
8:48 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter V—Federal Housing Administration

#### PART 500—GENERAL FIELD ORGANIZATION

Section 500.22 *Field organization*, paragraph (b), subparagraph (5) *Locations* (11 F. R. 177A-886) is amended, effective April 9, 1947, by:

1. Deleting the address "Comer Bldg." opposite "Alabama, Birmingham" and substituting therefor the following address: "2225 Third Avenue, North".

2. Deleting the address "2 Park Ave." opposite "New York, New York City" and

substituting therefor the following address: "90 Church Street".

3. Deleting the address "Cotton Exchange Bldg." opposite "Oklahoma, Oklahoma City" and substituting therefor the following address: "Leonhardt Bldg.".

4. Deleting the address "Land Bank Bldg." opposite "Missouri, Kansas City" and substituting therefor the following address: "Fidelity Bldg.".

5. Deleting the address "Franklin American Trust Bldg." opposite "Missouri, St. Louis" and substituting therefor the following address: "Locust Bldg.".

6. Deleting the address "Schmidt Bldg." opposite "Ohio, Cincinnati" and substituting therefor the following address: "Kroger Bldg.".

7. Deleting the address "Capitol Securities Bldg." opposite "Idaho, Boise" and substituting therefor the following address: "410 Baird Bldg.".

8. Deleting opposite "Minnesota, Minneapolis" and under the column heading "Jurisdiction" the following: "Entire State except Clay and Polk Counties (see Sioux Falls, S. Dak.) and substituting therefor the following: "Entire State".

9. Deleting opposite "Oklahoma, Oklahoma City" and under the column heading "Jurisdiction" the following: "Counties west of Osage, Pawnee, Creek, Okfuskee, McIntosh, Pittsburg, Latimer and Le Flore" and substituting therefor the following: "Counties west of Osage, Creek, Okfuskee, Hughes, Coal, Atoka and Bryan."

10. Deleting opposite "Oklahoma, Tulsa" and under the column heading "Jurisdiction" the following: "Counties east of Kay, Noble, Payne, Lincoln, Seminole, Hughes, Coal, and north of Atoka, Pushmataha and McCurtain" and substituting therefor the following: "Counties east of Kay, Noble, Pawnee, Payne, Lincoln, Seminole, Pontotoc, Johnston and Marshall".

11. Deleting opposite "South Dakota, Sioux Falls" and under the column heading "Jurisdiction" the following: "Entire State including entire State of North Dakota and Clay and Polk Counties in Minnesota" and substituting therefor the following: "Entire State".

(Sec. 1, 48 Stat. 1246; 12 U. S. C. and Sup., 1702)

[SEAL] H. WINTON ELLIOTT,  
Assistant Commissioner.

APRIL 10, 1947.

[F. R. Doc. 47-3744; Filed, Apr. 18, 1947;  
8:50 a. m.]

### Chapter VII—National Housing Agency

#### PART 751—ESTABLISHING THE GENERAL RESPONSIBILITIES AND ORGANIZATION OF THE OFFICE OF THE ADMINISTRATOR, NATIONAL HOUSING AGENCY, INCLUDING DELEGATIONS OF FINAL AUTHORITY

##### DELEGATION OF AUTHORITY TO FIRST ASSISTANT ADMINISTRATOR

§ 751.9 *Delegation to First Assistant Administrator.* The First Assistant Ad-

ministrator is hereby delegated the power to execute war housing programming documents relating to termination, disposition and other actions (except transfers of jurisdiction from the National Housing Agency to the War or Navy Departments pursuant to section 4 of the Lanham Act, as amended (54 Stat. 1127; 42 U. S. C. Sup., 1521-1524) and section 5 of the act of June 28, 1941 (55 Stat. 363; 42 U. S. C. Sup., 1521)) affecting projects constructed or acquired under Titles I and IV of the Lanham Act, as amended (54 Stat. 676, 872, 55 Stat. 14, 197, 810). (E. O. 9070, Feb. 24, 1942, 7 F. R. 1529)

Issued this 19th day of April 1947.

[SEAL] RAYMOND M. FOLEY,  
Administrator.

[F. R. Doc. 47-3792; Filed, Apr. 18, 1947;  
9:06 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue, Department of the Treasury

#### Subchapter C—Miscellaneous Excise Taxes

[T. D. 5557]

#### PART 113—DOCUMENTARY STAMP TAXES

##### STAMP TAX ON PASSAGE TICKETS

In order to conform Regulations 71 (26 CFR, Part 113) to section 8 (c) of the Excise Tax Act of 1947 (Pub. Law 17, 80th Cong.), approved March 11, 1947, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 113.90 the following:

SEC. 8 [EXCISE TAX ACT OF 1947].

(c) Effective with respect to tickets sold or issued on or after the first day of the first month which begins more than twenty days after the date of the enactment of this act, section 1806 of the Internal Revenue Code (relating to stamp tax on passage tickets) is hereby repealed.

PAR. 2. Section 113.90 is amended as follows:

(A) By inserting immediately following the heading "Scope of tax" the following:

(a) *Termination.* Effective with respect to tickets sold or issued on or after the first day of the first month beginning more than twenty days after the date of the enactment of the Excise Tax Act of 1947, section 1806 of the Internal Revenue Code was repealed by section 8 (c) of such act. The act was approved March 11, 1947, and therefore the tax on passage tickets and the regulations in this part relating to such tickets are inapplicable to such tickets sold or issued on or after April 1, 1947.

(B) By inserting immediately preceding the first sentence of such section as it appeared prior to amendment by this Treasury decision, as the beginning of the second paragraph of such section, the following:

(b) *Application of tax prior to the termination date.* Because of the short period of time between the date of the



repealing act and the effective date of the repeal, it is found impracticable to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act. \* \* \*

This Treasury decision shall be effective on April 1, 1947.

(Section 3791 of Internal Revenue Code (53 Stat. 467; 26 U. S. C. 3791))

[SEAL] WM. T. SHERWOOD,  
Acting Commissioner  
of Internal Revenue.

Approved: April 11, 1947.

A. L. M. WIGGINS,  
Acting Secretary of the Treasury.  
[F. R. Doc. 47-3742; Filed, Apr. 18, 1947;  
8:47 a. m.]

[T. D. 5558]

#### PART 320—RETAILERS' EXCISE TAXES

##### RETAILERS EXCISE TAXES

In order to conform Regulations 51 (26 CFR, Part 320), relating to retailers' excise taxes under Chapters 9A and 19 of the Internal Revenue Code, to the Excise Tax Act of 1947 (Pub. Law 17, 80th Cong.), approved March 11, 1947, such regulations are amended as follows:

PARAGRAPH 1. The subheading immediately preceding the heading "Subpart A—Introductory", as amended by Treasury Decision 5353, approved March 31, 1944, is further amended to read as follows:

Regulations relating to excise taxes on sales by the retailer (Chapter 19 of the Internal Revenue Code, added by section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, added by section 210 of the Revenue Act of 1940, and amended by section 302 of the Revenue Act of 1943 and by the Excise Tax Act of 1947).

PAR. 2. The first sentence of § 320.0, as amended by Treasury Decision 5353, is further amended to read as follows:

§ 320.0 *Scope of regulations.* The regulations contained in this part deal with excise taxes imposed by Chapter 19 of the Internal Revenue Code, as added by section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, as added by section 210 of the Revenue Act of 1940, and amended by section 302 of the Revenue Act of 1943 and by the Excise Tax Act of 1947, on sales by the retailer of:

- (a) Jewelry.
- (b) Furs.
- (c) Toilet preparations.
- (d) Luggage.

PAR. 3. Immediately preceding § 320.1, there is inserted the following:

EXCISE TAX ACT OF 1947 (PUB. LAW 17, 80TH CONG.) APPROVED MARCH 11, 1947

SEC. 3. Sections \* \* \* and 1655 (definition of "date of the termination of hostilities in the present war") of such Code are hereby repealed.

No. 78—2

PAR. 4. Section 320.1, as amended by Treasury Decision 5353, is further amended by striking out paragraph (k) thereof.

PAR. 5. Immediately preceding § 320.2, there is inserted the following:

EXCISE TAX ACT OF 1947 (PUB. LAW 17, 80TH CONG.) APPROVED MARCH 11, 1947

SEC. 3. Sections 1654 (termination of retail tax on luggage, etc.) and 1655 (definition of "date of the termination of hostilities in the present war") of such Code are hereby repealed.

PAR. 6. Immediately preceding § 320.30, as amended by Treasury Decision 5353, there is inserted the following:

EXCISE TAX ACT OF 1947 (PUB. LAW 17, 80TH CONG.) APPROVED MARCH 11, 1947

SEC. 2. Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war".

PAR. 7. Section 320.38, as amended by Treasury Decision 5353, is further amended to read as follows:

§ 320.38 *Rate of tax.* With respect to articles sold during the period October 1, 1941, through March 31, 1944, both dates inclusive, the tax is payable by the retailer at the rate of 10 percent of the price for which sold. With respect to articles sold on or after April 1, 1944, the tax is payable by the retailer at the rate of 20 percent of the price for which sold, except that in the case of watches selling at retail for \$65 or less, and alarm clocks selling at retail for \$5 or less, the tax is at the rate of 10 percent of the price for which sold. The price for which an article is sold shall be determined in accordance with the provisions of §§ 320.5 to 320.10, inclusive, and § 320.74.

PAR. 8. Immediately preceding § 320.40, there is inserted the following:

EXCISE TAX ACT OF 1947 (PUB. LAW 17, 80TH CONG.) APPROVED MARCH 11, 1947

SEC. 2. Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war".

SEC. 7. (a) Section 2401 of the Internal Revenue Code (relating to the tax on furs) is hereby amended by inserting after the words "chief value" a comma and the following: "but only if such value is more than three times the value of the next most valuable component material".

(b) The amendment made by subsection (a) shall apply in the case of articles sold on or after the first day of the first month which begins more than twenty days after the date of the enactment of this act.

PAR. 9. Section 320.40 is amended to read as follows:

§ 320.40 *Scope of tax.* The tax attaches to the sale by the retailer of certain articles as follows:

- (a) Articles made of fur on the hide or pelt sold on or after October 1, 1941;
- (b) Articles of which fur on the hide or pelt is the component material of chief value sold during the period Octo-

ber 1, 1941, through March 31, 1947, both dates inclusive; and

(c) Articles of which fur on the hide or pelt is a component material, the value of which is more than three times the value of the next most valuable component material, sold on or after April 1, 1947.

The tax does not apply to sales of raw fur.

The tax is not confined to the sale of fur articles used as wearing apparel but applies to sales of any fur article suitable for any use, such as fur rugs, fur robes, etc.

In determining, for the purposes of (b) and (c) of this section whether the sale of an article of which fur is a component material is subject to tax, the value of such fur at the time of assembly of the article must be compared to the value of each other single component at such time.

Where fur is a component material of an article and exemption with respect to the sale of such article is claimed on the ground that the value of the fur as compared with that of the most valuable of the other component materials is not such as to render the sale taxable under (b) or (c), of this section, the retailer must maintain adequate records or have in his possession proper documentary evidence to establish that fact to the satisfaction of the Commissioner. In the absence of such records or documentary evidence, the tax must be paid with respect to the sale of such article at retail.

PAR. 10. Section 320.42, as renumbered and amended by Treasury Decision 5353, is further amended to read as follows:

§ 320.42 *Rate of tax.* With respect to articles sold during the period October 1, 1941, through March 31, 1944, both dates inclusive, the tax is payable by the retailer at the rate of 10 percent of the price for which sold. With respect to articles sold on or after April 1, 1944, the tax is payable by the retailer at the rate of 20 percent of the price for which sold. The price for which an article is sold shall be determined in accordance with the provisions of §§ 320.5 to 320.10, inclusive, and § 320.74.

PAR. 11. Immediately preceding § 320.50, there is inserted the following:

EXCISE TAX ACT OF 1947 (PUB. LAW 17, 80TH CONG.) APPROVED MARCH 11, 1947

SEC. 2. Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes) is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war".

PAR. 12. Section 320.51, as amended by Treasury Decision 5353, is further amended to read as follows:

§ 320.51 *Rate of tax.* With respect to articles sold during the period October 1, 1941, through March 31, 1944, both dates inclusive, the tax is payable by the retailer at the rate of 10 percent of the price for which sold. With respect to articles sold on or after April 1, 1944, the tax is payable by the retailer at the rate of 20 percent of the price for which sold. The price for which an article is



sold shall be determined in accordance with the provisions of §§ 320.5 to 320.10, inclusive, and § 320.74.

Because of the short period of time remaining between March 11, 1947, the date of approval of the Excise Tax Act of 1947, and April 1, 1947, the date on which, pursuant to such act, the amendment to section 2401 of the Internal Revenue Code becomes effective, and because of the technical nature of the amendments made herein, it is found that it is impracticable and unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective on April 1, 1947.

(Secs. 3791 and 2410 of Internal Revenue Code (53 Stat. 467, 55 Stat. 720; 26 U. S. C. and Supp., 3791, 2410))

[SEAL] WM. T. SHERWOOD,  
Acting Commissioner  
of Internal Revenue.

Approved: April 11, 1947.

A. L. M. WIGGINS,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-3743; Filed, Apr. 18, 1947;  
8:47 a. m.]

#### Subchapter F—Organization and Procedures

##### PART 600—ORGANIZATION

##### PART 601—PROCEDURE

##### MISCELLANEOUS AMENDMENTS

In F. R. Doc. 46-15357, appearing at page 177A-22, Part II, section 1, of the issue for September 11, 1946, the following amendments are made:

1. Paragraph (b) (3) of § 600.4 *Income tax unit*, is amended by changing the words "Alien Property Custodian" at the end of the third sentence of the second paragraph thereof to "Attorney General. E. O. 9788 effective October 15, 1946, 11 F. R. 11981."

2. Paragraph (d) of § 600.53 *Technical Staff field organization*, as amended (11 F. R. 14262), is further amended by changing the column of the table of field offices headed "Location of office", as follows:

(A) By amending the entries pertaining to the Atlantic Division as follows:

(i) By striking out the entry "Baltimore 2, Md., 505 Stewart Bldg., 100-2 South Gay St.", and inserting in lieu thereof the following: "Washington 25, D. C., Room 2017, Temporary Bldg. 'S', 6th St. and Jefferson Drive, S. W."

(ii) By striking out the entry "Washington 25, D. C., Room 3565, Internal Revenue Bldg., 12th St. and Constitution Ave., N. W.", and inserting in lieu thereof the following: "Baltimore 2, Md., Room 1002, Standard Oil Bldg., St. Paul Place and Franklin St."

(B) By striking out the entry pertaining to the Chicago Division, "Chicago 4, Ill., 1300 Board of Trade Bldg., 141 West Jackson Blvd.", and inserting in lieu thereof the following: "Chicago 4, Ill.,

1300 Board of Trade Bldg., 141 West Jackson Blvd."

(C) By striking out the entry pertaining to the New England Division, "Boston 10, Mass., 547 Stone and Webster Bldg., 49 Federal St.", and inserting in lieu thereof the following: "Boston 9, Mass., 601 Post Office Bldg."

(D) By striking out the entry pertaining to the Pacific Division, "Portland 4, Oreg., 1006 Bedell Bldg., 520 S. W. 6th Ave.", and inserting in lieu thereof the following: "Portland 4, Oreg., 1012 Cascade Bldg., 520 S. W. 6th Ave."

(E) By amending the entries pertaining to the Southwestern Division as follows:

(i) By striking out the entry "Houston 2, Tex., 1316 Houston Cotton Exchange Bldg., Caroline St. and Prairie Ave.", and inserting in lieu thereof the following: "Houston 2, Tex., 1316 Houston Cotton Exchange Bldg., Caroline St. and Prairie Ave."

(ii) By striking out the entry "Oklahoma City 2, Okla., 1315 First National Bank Bldg., 120 North Robinson St.", and inserting in lieu thereof the following: "Oklahoma City 2, Okla., 1315 First National Bank Bldg., 120 Robinson St."

(F) By amending the entries pertaining to the Western Division as follows:

(i) By striking out the entry "Denver 2, Colo., 322 Railway Exchange Bldg., 909 Seventh St.", and inserting in lieu thereof the following: "Denver 2, Colo., 322 Railway Exchange Bldg., 909 17th St."

(ii) By striking out the entry "Omaha 2, Nebr., 337 Omaha National Bank Bldg., 17th and Varnum Sts.", and inserting in lieu thereof the following: "Omaha 2, Nebr., 337 Omaha National Bank Bldg., 17th and Farnum Sts."

3. Section 601.2 *Income and excess profits taxes*, as amended (11 F. R. 14262; 12 F. R. 953) is further amended as follows:

(A) Paragraph (a) is amended by inserting in the third paragraph thereof immediately after the references "T. D. 5522, 11 F. R. 6754; T. D. 5534, 11 F. R. 9553" the following: "T. D. 5546, 11 F. R. 14285."

(B) Paragraph (b) (4) is amended by substituting for the word "receipt" in the third sentence thereof the word "statement".

(C) Paragraph (c) (1) is amended by substituting for the word "receipt" in the first sentence of the third paragraph thereof the word "statement".

(D) Paragraph (d) is amended by substituting for the word "receipt" in the last sentence of the first paragraph thereof the word "statement".

(E) Paragraph (g) is amended as follows:

(i) By striking from the paragraph headed "Form W-2b" the following: "or for furnishing copies to State Governments, etc."

(ii) By inserting immediately after the paragraph headed "Form 936" the following new paragraphs:

*Form 949.* Annual report of profit on Navy contracts. This form of report is required under the provisions of the Vinson Act, as amended, to be filed by every contracting party, completing within its taxable year a Navy contract or subcontract for the construction or manufacture of any completed

Naval vessel or aircraft or any portion thereof entered into (a) after December 31, 1945, in the case of a contracting party making its income tax return on the calendar year basis, or (b) after the close of the contracting party's taxable year ending in 1946, in the case of a contracting party making its income tax return on a fiscal year basis.

*Form 949-A.* Annual report of profit on Army contracts. This form of report is required under the provisions of the Vinson Act, as amended, to be filed by every contractor or subcontractor completing within its taxable year an Army contract for the construction or manufacture of any completed Army aircraft or any portion thereof, entered into (a) after December 31, 1945, in the case of a contracting party making its income tax return on the calendar year basis, or (b) after the close of the contracting party's taxable year ending in 1946, in the case of a contracting party making its income tax return on a fiscal year basis.

(iii) By inserting immediately after the paragraph headed "Form 1042-B" the following new paragraphs:

*Form 1042-C.* Annual return of income tax withheld from French addressees. This return (in duplicate) is required to be made by all United States withholding agents who have paid to persons whose addresses of record are in France any fixed or determinable annual or periodical income. There shall be reported on this return, not only items of income listed on Form 1042, but also items of interest listed on quarterly returns, Form 1012, including items of interest where the liability for withholding is only 2 percent.

*Form 1042-D.* Annual return of income tax withheld from United Kingdom addressees. This return (in duplicate) is required to be made by all United States withholding agents who have paid to residents of the United Kingdom or corporations managed and controlled in the United Kingdom any fixed or determinable annual or periodical income. There shall be reported on this return not only items of income listed on Form 1042, but also items of income exempt from tax under the United States-United Kingdom income tax Convention. However, items of interest need not be listed where Form 1001-UK (in duplicate), or substitute Form 1001-UK (in duplicate), has been filed.

F. R. Doc. 46-20950, 11 F. R. 14261, is amended by substituting for "Form 1042-D" appearing in item 34 (n) thereof the following: "Form 1042-B".

(Secs. 3, 12, Pub. Law 404, 79th Cong.; 60 Stat. 238, 244)

[SEAL] A. L. M. WIGGINS,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-3741; Filed, Apr. 18, 1947;  
8:50 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Office of Temporary Controls, Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Laws 388 and 475, 79th Cong.; E. O. 9024, 7 F. R. 329, E. O. 9040, 7 F. R. 527, E. O. 9125, 7 F. R. 2719, E. O. 9599, 10 F. R. 10155, E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.



## PART 1010—SUSPENSION ORDERS

[Suspension Order S-1110]

HARRY YAFFEE

Harry Yaffee, d/b/a Banner Products Company, 3417 North Pulaski, Chicago, Illinois, as a retailer of solder, from March 16, 1946 to July 31, 1946 sold and delivered approximately 9,931 pounds of bar solder without having received the certificate required by Conservation Order M-43. Respondent had knowledge of the restrictions in M-43 and his conduct constituted a wilful violation thereof. The violation had diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1110 *Suspension Order No. S-1110.* (a) Harry Yaffee, d/b/a Banner Products Company, his successors or assigns, shall not accept delivery of, sell, transfer, or otherwise deal in any solder as governed by Conservation Order M-43, for a period of one month from the effective date of this order, unless specifically authorized in writing by the Civilian Production Administration.

(b) Nothing contained in this order shall be deemed to relieve Harry Yaffee, d/b/a Banner Products Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 28th day of April 1947.

Issued this 18th day of April 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-3851; Filed, Apr. 18, 1947;  
11:42 a. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-1123]

AUGUST W. BAUMGART &amp; WILBUR K. BAUMGART

August W. Baumgart and Wilbur K. Baumgart, d/b/a A. C. Automotive Finishes Company, 456 North Oakley Boulevard, Chicago, Illinois, as retailers of solder, from May 20, 1946 to August 31, 1946 sold approximately 4,560 pounds of solder containing 1.5% or more tin without having received the certificate required by Conservation Order M-43. They had knowledge of the restriction in M-43 and their conduct constituted a wilful violation thereof. The violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1123 *Suspension Order No. S-1123.* (a) August W. Baumgart and Wilbur K. Baumgart, d/b/a A. C. Automotive Finishes Company, individually or doing business under any other name, their successors and assigns, shall not accept delivery of, sell, transfer, or

otherwise deal in any solder containing 1.5% or more tin as governed by Conservation Order M-43, for a period of two months from the effective date of this order, unless specifically authorized in writing by the Civilian Production Administration.

(b) Nothing contained in this order shall be deemed to relieve August W. Baumgart and Wilbur K. Baumgart, d/b/a A. C. Automotive Finishes Company, individually or doing business under any other name, their or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 28th day of April 1947.

Issued this 18th day of April 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-3852; Filed, Apr. 18, 1947;  
11:42 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER  
AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended  
April 18, 1947]

## APPENDIX II—MANUFACTURING REGULATIONS

Findings under sec. 4 (a) of Public Law 404, 79th Congress.

In connection with the issuance of the following amendments, pursuant to section 4 (a) of the Administrative Procedure Act (Public Law 404, 79th Congress, 60 Stat. 237), the Civilian Production Administration finds that compliance with the notice, public rule making procedure and effective date requirements of the said Act is impractical and contrary to the public interest, in that the time intervening between the approval of Public Law 24, 80th Congress, on which the following amendments are based, and the date when the said amendments must become effective in order to effectuate the policy of said Public Law 24, is insufficient for such compliance; and any delay in the effective date of the following amendments will jeopardize the orderly allocation of natural and synthetic rubber and the production of synthetic rubber, contrary to the public interest. Therefore, the Civilian Production Administration, pursuant to Public Law 24, 80th Congress, hereby takes the following action:

Rubber Order R-1, Appendix II, as amended November 29, 1946, is hereby amended to read as follows:

## APPENDIX II—MANUFACTURING REGULATIONS

Appendix II to Rubber Order R-1 establishes certain compounding proportions and manufacturing regulations for many of the products enumerated in Appendix I to Rubber Order R-1. These compounding proportions and manufacturing regulations are set out in the lists appearing below.

(a) *Limitation on production of rubber products.* No person may manufacture any

of the products covered by the lists set out in this Appendix II except in accordance with the restrictions and regulations in the list applicable to the products.

(b) *General provisions.* (1) The total rubber hydrocarbon (designated total RHC in this Appendix) is the sum total of natural rubber, synthetic rubber, the rubber hydrocarbon value of reclaimed rubber and the RHC value of master batches or compounds of natural rubber or natural rubber latex. The rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference" or "indirect" method. Natural rubber includes the rubber hydrocarbon value of natural rubber master batches or compounds as certified by the manufacturer of master batches or compounds which include natural rubber or natural rubber latex.

(2) "X" when used in the tables appearing in the lists, means that the materials so designated may be consumed in the minimum quantities required by any manufacturer who has received authorization to accept delivery on Form CPA-4488, subject to any special restrictions or provisions applicable to the particular products.

## TABLE OF LISTS INCLUDED IN APPENDIX II

No.	Title
2-----	Tire and flap curing bags.
6-----	Tube identification.
7-----	Tire and tube repair materials.
8-----	Tires.
9-----	Tire tubes.
10-----	Tire flaps.
13-----	Retreading materials.
15-----	Use of tire-type high tenacity rayon cord, fabric or yarn. Deleted December 17, 1946.

LIST 2—MANUFACTURE OF TIRE AND FLAP  
CURING BAGS

(a) *Manufacturing regulations.* The use of natural rubber as required in the manufacture of all sizes and types of tire and flap curing bags is permitted.

(b) *Marking of synthetic curing bags.* All curing bags containing synthetic rubber shall have a permanent circumferential colored strip approximately three-eighths inch wide applied on the base section of the bag. The appropriate color shall be determined from List 6.

## LIST 6—TUBE IDENTIFICATION

*Identification of synthetic rubbers.* Identification of the various types of synthetic rubbers shall be effected by designating each type by a letter and a color, as follows:

Letter and color:	Type of synthetic
S—Red-----	GR-S
M—Yellow-----	GR-M (neoprene)
I—Light Blue-----	GR-I (Butyl)

LIST 7—MANUFACTURE OF TIRE AND TUBE  
REPAIR MATERIALS

(a) *Manufacturing regulations.* Natural rubber as required may be used in the manufacture of tire and tube repair materials, except as provided in List 13 hereof.

## LIST 8—MANUFACTURE OF TIRES

(a) *General provisions.* (1) Natural rubber latex may be consumed in the treatment of rayon and cotton cord, provided the overall average by weight of natural rubber latex so consumed does not exceed 7.5 pounds per 1000 pounds (dry weight) of total rayon and cotton cord treated. Natural rubber latex may be consumed in the treatment of nylon cord without limit.

(b) *Manufacturing regulations.* Natural rubber may be consumed in the manufacture of tires, rubber tracks and blocks as follows:



## RULES AND REGULATIONS

(1) Solid tires of all types except where elsewhere listed, as required.

(2) Rubber tracks and track blocks, as required.

(3) In the sizes and types of pneumatic tire groups listed in Table A below, only the maximum percent of natural rubber specified:

Table A—All Types of Pneumatic Tires

NOTE: Table A revised April 1947.

Maximum per cent<sup>1</sup> natural rubber of total RHC, by weight, rayon, nylon or cotton

Tire groups—Size and type	Per cent natural rubber
11.00 and up (all types)-----	X
All airplane, all inter-city bus mileage, all low platform trailer, and all wire tires-----	94
8.25 through 10.00 (all other types except tractor, implement and industrial pneumatic)-----	94
All other truck (including 15" and 16" diameters)-----	67
6.50 and up, passenger and industrial-----	67
6.00 and down, passenger, motorcycle, and industrial-----	23
Bicycle, light weight only-----	X
Bicycle, balloon size-----	27
All other-----	13

<sup>1</sup> Individual sizes may exceed the specified maximum percentage, provided the average natural rubber content of all sizes within the groups as listed in this Table A, does not exceed the indicated maximum percentage. No tire within the groups permitted 94 percent or more natural rubber shall be manufactured with a natural rubber content more than 5% greater than the maximum allowable percentage of total RHC for tires in those groups. No tire within the groups permitted 67% or less shall be manufactured with a natural rubber content more than 10% greater than the maximum allowable percentage of total RHC, for tires in each group. For example, a tire in the group in which a maximum of 23% of natural rubber is permitted, may be made with 33%.

## LIST 9—MANUFACTURE OF TIRE TUBES

(a) *Manufacturing regulations.* (1) Natural rubber may be consumed as required in the manufacture of valves, valve cap gaskets, valve adhesion pads, and splicing gum strips for tubes.

(2) GR-I (Butyl) may be consumed as required in the manufacture of all sizes and types of tubes.

(3) Natural rubber may be consumed as required in the manufacture of tubes as follows:

(i) In airplane tubes and in puncture seal and other types of safety tubes.

(ii) In all other tubes except those of 15" and 16" diameters equipped with rubber valves.

(b) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe approximately three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from List 6.

## LIST 10—MANUFACTURE OF TIRE FLAPS

*Manufacturing regulations.* The use of natural rubber in the manufacture of tire flaps shall be limited as follows:

	Maximum percent natural rubber of total RHC by weight
Flaps for 12.00 cross section and larger tires-----	X
Flaps for 11.00 cross section and smaller tires-----	50

## LIST 12—MANUFACTURE OF RETREADING MATERIALS

(a) *Manufacturing regulations.* The manufacture of retreading materials shall conform to the restrictions shown in the following table:

	Maximum percent natural rubber of total RHC by weight
Camelback for all airplane tires and all types for use on 8.25 and larger size tires of 6" die width and 1½ gauge and up-----	X
All other camelback-----	O
Padding stock (maximum thickness ¾")-----	X
Stripping stock (maximum thickness ¾")-----	X
Filling stock (maximum thickness ¾")-----	X
Camelback cushion (maximum thickness ¾")-----	X
Full circle curing tubes-----	X

## LIST 15—USE OF TIRE-TYPE HIGH-TENACITY RAYON COED FABRIC OR YARN—[Deleted December 17, 1946.]

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, and 56 Stat. 177; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9246, 7 F. R. 7379, as amended by E. O. 9475, 9 F. R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F. R. 64; Pub. Law 24, 80th Cong.)

Issued this 18th day of April 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION;  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-3850; Filed, Apr. 18, 1947;  
11:42 a. m.]

## Chapter XVIII—Office of Temporary Controls, Office of War Mobilization and Reconversion (Stabilization)

[Directive 149, Corr.]

## PART 4003—SUBSIDIES; SUPPORT PRICES

## PACIFIC NORTHWEST FUELWOOD SUBSIDY PAYMENT PROGRAM

In § 4003.88 *Pacific Northwest Fuelwood Subsidy Payment Program* (12 F. R. 1657) "October 31, 1946" should be substituted for "September 1, 1946" wherever it appears in this directive as the date before which sawdust must be stockpiled for the purposes of the directive.

(56 Stat. 765, 58 Stat. 632, 642, 784, 59 Stat. 306, Pub. Law 548, 79th Cong.; 15 U. S. C. Sup. 713a-8 and note, 50 U. S. C. App. Sup. 901-903, 921-925, 961-971; E. O. 9250, Oct. 3, 1942, 7 F. R. 7871, E. O. 9328, Apr. 8, 1943, 8 F. R. 4681, E. O. 9599, Aug. 18, 1945, 10 F. R. 10155, E. O. 9651, Oct. 30, 1945, 10 F. R. 13487, E. O. 9697, Feb. 14, 1946, 11 F. R. 1691, E. O. 9699, Feb. 21, 1946, 11 F. R. 1929, E. O. 9762, July 25, 1946, 11 F. R. 8073, E. O. 9809, Dec. 12, 1946, 11 F. R. 14281)

PHILIP B. FLEMING,  
Temporary Controls Administrator.

APRIL 14, 1947.

[F. R. Doc. 47-3765; Filed, Apr. 18, 1947;  
8:48 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter III—Coast Guard: Inspection and Navigation

[CGFR 47-21]

## PART 303—REGULATIONS TO PROMOTE THE SAFETY OF LIFE ON NAVIGABLE WATERS DURING REGATTAS OR MARINE PARADES

## CLOSING OF OAKLAND ESTUARY, OAKLAND, CALIF.

Pursuant to the authority vested in me by section 1, act of April 28, 1908 (Title 46, U. S. C., sec. 454) and Reorganization Plan No. 3 of 1946, and at the request of the University of California, I find it necessary, in order to promote the safety of life on navigable waters, that the section of the Oakland Estuary, Oakland, California, bounded on the west by the line extending across the Estuary from the foot of Broadway in Oakland and bounded on the east by the Fruitvale Avenue Bridge shall be closed to all through navigation and that the movement of all other craft in the area shall be subject to the control of the U. S. Coast Guard Regatta Patrol Officer in accordance with the regulations for marine regattas or marine parades in 33 CFR, Part 303, for the University of California Crew Races, between the hours of 2:00 p. m. and 5:00 p. m. on the following dates:

Saturday, May 3, 1947.  
Saturday, May 10, 1947.  
Saturday, May 31, 1947.

It is hereby found that compliance with the notice, public rule making procedures, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Cong.; 60 Stat. 238), is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this order is based became available and when this order must become effective is insufficient for such compliance; however, pursuant to notices published in the local newspapers and notice to mariners, a public hearing was held in San Francisco, California, and no objections were raised by interested parties to the closing of the channel for the races.

Dated: April 15, 1947.

[SEAL]

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 47-3789; Filed, Apr. 18, 1947;  
8:50 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

## Chapter I—Interstate Commerce Commission

[Rev. S. O. 647, Amdt. 2]

## PART 95—CAR SERVICE

PRIORITY FOR WHEAT IN PACIFIC NORTHWEST  
At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of April A. D. 1947.



Upon further consideration of Revised Service Order No. 647 (12 F. R. 104), as amended (12 F. R. 2168) and as amended by Service Order No. 647-C (12 F. R. 1724), and good cause appearing therefor: *It is ordered, That:*

Revised Service Order No. 647 (codified as 49 CFR § 95.647, *Box cars to be used for loading export wheat*, be, and it is hereby, further amended by substituting the following paragraph (a) for paragraph (a) thereof and adding paragraphs (d) and (e) thereto:

(a) *Priority for wheat loading.* All common carriers by railroad subject to the Interstate Commerce Act, at any point in the States of Oregon, Washington, or Idaho, or at Paradise or Troy, Montana, or west thereof, shall give preference and priority over all other traffic to supplying or placing box cars daily except Sunday, to the extent of the weekly quotas of box cars shown below:

Union Pacific RR.....	450
Great Northern Ry.....	72
Northern Pacific Ry.....	210
Spokane, Portland and Seattle Ry.....	18
Chicago, Milwaukee, St. Paul and Pacific RR.....	36

(d) *Diversion from inspection points.* Cars loaded with export wheat subject to this order moving to inspection points named in paragraph (a) (2) hereof may be diverted to domestic consignees upon special permit which may be issued by the Permit Agent designated herein.

(e) *Appointment of permit agent.* A. R. Mollison, Service Agent, Room 531 Post Office Bldg., Portland, Ore., telephone Atwater 6171, Extension 352, is hereby designated and appointed permit agent for the purpose of issuing permits authorized by this order.

It is further ordered, that this amendment shall become effective at 12:01 a. m., April 17, 1947; that a copy of this order and direction be served upon the State railroad regulatory bodies of the States of Oregon, Washington, Idaho and Montana, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register. (40 Stat. 101, secs. 402, 418; 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17)), 15 (4))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-3755; Filed, Apr. 18, 1947; 8:51 a. m.]

[S. O. 684, Amdt. 1]

#### PART 95—CAR SERVICE

##### NEW YORK HARBOR LIGHTERAGE RESTRICTIONS

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 15th day of April A. D. 1947.

Upon further consideration of Service Order No. 684 (12 F. R. 1167), and good cause appearing therefor: It is ordered, that:

Section 95.684 *New York Harbor lighterage restrictions*, of Service Order No. 684, be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 7:00 a. m., July 1, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 12:01 a. m., April 17, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-3756; Filed, Apr. 18, 1947; 8:51 a. m.]

[Docket Nos. 29555, 29556]

#### PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

##### PICK-UP AND DELIVERY SERVICES AND CHARGES ON SMALL SHIPMENTS BY RAILROADS

The matter of the lawfulness of the rates, charges, practices and payments for pick-up and delivery services within terminal areas performed by, or for, common carriers by railroad and the matter of the lawfulness of the rates, charges and practices in connection with small shipments by common carriers by railroad being under consideration, it is ordered that:

§ 120.11b *Traffic inquiry and cost inquiry data, L. C. L. traffic.* All respondents classified as Class I steam railways (excluding switching and terminal companies) subject to Part I of the Interstate Commerce Act, and every receiver, trustee, executor, administrator, or assignee of any such steam railway, are hereby required to compile and furnish to this Commission, (a) the data called for in the Cost Inquiry for Less-Carload Traffic, which is attached hereto and made a part of this order,<sup>1</sup> and to compile the data called for in the Traffic Inquiry for Less-Carload Traffic which is attached hereto and made a part of this order,<sup>1</sup> and to furnish to this Commission, as to such traffic inquiry, (b) summaries by territorial movements for all

<sup>1</sup> Filed as part of the original document.

railways combined, as indicated in said traffic inquiry.

It is further ordered, that the data specified in clauses (a) and (b) of the foregoing paragraph shall be filed with the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before the following dates: Cost Inquiry for Less-Carload Traffic, on or before August 15, 1947; Traffic Inquiry for Less-Carload Traffic, on or before November 1, 1947.

It is further ordered, that a copy of this order shall be served upon each respondent classified as a Class I steam railway (other than switching and terminal companies), subject to Part I of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator, or assignee of any such steam railway, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916, 49 U. S. C. 20 (1)-(8))

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. (56 Stat. 1078; 5 U. S. C. Sup., 139-139f)

Dated at Washington, D. C., this 11th day of April A. D. 1947.

By the Commission.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-3757; Filed, Apr. 18, 1947; 8:51 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### Subchapter Q—Alaska Commercial Fisheries

#### PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

##### SHRIMP FISHERY

Section 220.16 is hereby amended to read as follows:

§ 220.16 *Closed season, shrimp fishing.* Commercial fishing for shrimp is prohibited in the period from February 1 to April 15 and from July 15 to September 30, all dates inclusive, in the waters of the Stikine district, the Eastern district east of the longitude of Cape Fanshaw, and in the Sumner Strait district north of the latitude and east of the longitude of Point Baker. All waters of Duncan Canal are closed to shrimp fishing throughout the year. (Sec. 1, 44 Stat. 752; 48 U. S. C. 221)

WARNER W. GARDNER,  
Acting Secretary of the Interior.

APRIL 14, 1947.

[F. R. Doc. 47-3763; Filed, Apr. 18, 1947; 8:49 a. m.]



## NOTICES

## DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8680]

ELIZABETH LUERS AND MARGARET WHITTROCK

In re: Bank account and stock owned by Elizabeth Luers and Margaret Whittrock. F-28-385-D-1, F-28-385-E-1, F-28-385-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth Luers and Margaret Whittrock, whose last known addresses are Dinklage 1 Oldbg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Elizabeth Luers and Margaret Whittrock, by the First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of a Blocked Funds Account, Account Number TR 21990, entitled Elizabeth Luers and Margaret Whittrock, maintained at the aforesaid bank and all rights to demand, enforce and collect the same, and

b. Five (5) shares of \$100 par value 6% preferred capital stock of Michigan Public Service Company, 148 East Front Street, Traverse City, Michigan, a corporation organized under the laws of the State of Michigan, evidenced by certificate numbered 818, and registered in the name of Elizabeth Luers and Margaret Whittrock, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3727; Filed, Apr. 17, 1947; 8:49 a. m.]

[Vesting Order 8679]

MUSTER-SCHMIDT

In re: Debt owing to Muster-Schmidt. F-28-8653-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Muster-Schmidt, the last known address of which is Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Muster-Schmidt, by Berry Brothers, Inc., 211 Leib Street, Detroit 7, Michigan, in the amount of \$1,970.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3726; Filed, Apr. 17, 1947; 8:49 a. m.]

[Vesting Order 8681]

WINDMOLLER AND HOLSCHER, G. M. B. H.

In re: Bank account and stock owned by Windmoller and Holscher, G. m. b. H. F-28-11305-D-1, F-28-11305-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Windmoller and Holscher, G. m. b. H., the last known address of which is Langerich, Westfalen, Germany, is a limited corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Windmoller and Holscher, G. m. b. H., by The Philadelphia National Bank, Philadelphia 1, Pennsylvania, arising out of a checking account, entitled Windmoller and Holscher, and any and all rights to demand, enforce and collect the same, and

b. Seventy-five (75) shares of \$100.00 par value 7% cumulative preferred capital stock of Benjamin C. Betner Company, Lincoln Highway, Devon, Pennsylvania, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 97, 101, and 102 for 25 shares each, registered in the name of Windmoller and Holscher, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate



consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3728; Filed, Apr. 17, 1947;  
8:49 a. m.]

[Vesting Order 8682]

MASAYASHI YOKOI

In re: Bank account owned by Masayashi Yokoi. F-39-4789-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law after investigation, it is hereby found:

1. That Masayashi Yokoi, whose last known address is Senonji, Amagon, Aichiken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, account number 267, entitled Masayashi Yokoi, Trustee for Kinuye and Shoehei Yokoi, maintained at the branch office of the aforesaid bank located at 1011 - 10th Street, Sacramento, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Masayashi Yokoi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3729; Filed, Apr. 17, 1947;  
8:49 a. m.]

[Vesting Order 3237, Amdt.]

MARIE SOPHIE WILHELM AND HEINRICH  
WILHELM WELP

In re: Interests in real property and property insurance policies, and a claim owned by Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette.

Vesting Order 3237, dated February 26, 1944, is hereby amended as follows and not otherwise:

By deleting subparagraph 3-a and substituting therefor the following:

a. The undivided one-half interest in and to the real property situated in the City of Pittsburgh, Allegheny County, Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

All other provisions of said Vesting Order 3237 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3730; Filed, Apr. 17, 1947;  
8:49 a. m.]

[Vesting Order 8580]

JOSEPH KLAPPER

In re: Stock owned by Joseph Klapper. F-28-13760-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Klapper, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Thirty-two (32) shares of \$100.00 par value 7% Cumulative Preferred capital stock of Cushman's Sons, Inc., 250 West 57th Street, New York 19, N. Y., a corporation organized under the laws of

the State of New York, evidenced by certificates numbered C362, and C518, for ten (10) shares each, certificates numbered P362, and C3342 for three (3) shares each, certificates numbered C687 and C2335 for 1 share each, and certificate numbered C2970 for four (4) shares, registered in the name of Joseph Klapper, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 27, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3776; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8666]

VALENTIN RETTERATH

In re: Invention and Disclosure thereof of Valentin Retterath. TC-1421.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Valentin Retterath, whose last known address is Germany, is a resident of Germany and a national of a foreign country (Germany);

2. That the property described as follows:

The disclosure identified as follows:

*Inventor and Invention*

Valentin Retterath, Balancing device for machine parts vertically displaceable by rack and piston,

together with the entire right, title and interest throughout the United States and its territories in and to, together with the right to file applications in the United States Patent Office for Letters Patent



for, the invention or inventions shown or described in such disclosure,

is property of a national of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-3777; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8625]

FERDINAND MAENNER

In re: Bond and mortgage and claims owned by the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ferdinand Maenner, deceased.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ferdinand Maenner, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. A mortgage executed on April 1, 1909, by Louis W. P. Werle and Mary Louise Werle, his wife, to Emma M. Koster, and recorded on April 21, 1909, in the Office of the Clerk of Queens County, New York, in Liber 1164 of Mortgages, at Page 384, which mortgage was assigned by Midwood Trust Company to Ferdinand Maenner, by assignment, dated October 15, 1931, and recorded in the Office of the Register of Queens County, New York, on October 19, 1931, in Liber 3909 of Mortgages, at Page 363, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

b. That certain debt or obligation owing to the persons described in subparagraph 1 hereof by Teachers Retirement System of the City of New York,

154 Nassau Street, New York, New York, arising by reason of an accumulated teachers retirement pension, payable to Ferdinand Maenner, and any and all rights to demand, enforce, and collect the same, and

c. That certain debt or obligation owing to the persons described in subparagraph 1 hereof by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising by reason of interest collected on the mortgage described in subparagraph 2-a hereof, deposited in an account entitled "Exportkreditbank, A. G. Berlin, Special Customer's Account", No. 884060, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ferdinand Maenner, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a to 2-c hereof, inclusive, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-3778; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8639]

CHRISTINA F. PARDE ET AL.

In re: Christina F. Parde, et al. vs. Mareke Parde, et al. File 017-21880.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rieka Goosman, Motje Helmers, Johann H. Parde, Antje Parde, Wubka Parde Ortgieszen, Motje Parde Neumann and Heike Parde Eilers, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled, "Christina F. Parde, et al. vs. Mareke Parde, et al.", Docket 49, Page 25 in the District Court of Gage County, Nebraska is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Ernest A. Hubka, Referee, acting under the judicial supervision of the District Court of Gage County, Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-3779; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8641]

JOHN SCHMIDER

In re: Estate of John Schmider, deceased. File D-28-10684; E. T. sec. 15030.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christian Schmider, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$921.79 was paid to the Attorney General of the United States by E. J. Wald, Administrator of the Estate of John Schmider, deceased;

3. That the said sum of \$921.79 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable to, deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the



aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on January 24, 1947, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3780; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8642]

PEARL SCHNEIDER

In re: Estate of Pearl Schneider, also known as Pearl A. Schneider, and as Pearl Adele Schneider, deceased. File No. D-28-11221; E. T. sec. 15594.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Schneider, Children, names unknown, of Katharina Lotz, deceased, and Mrs. Liesa Werner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Pearl Schneider, also known as Pearl A. Schneider, also known as Pearl Adele Schneider, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by John E. Springer, as administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Clara;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not

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within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3781; Filed, Apr. 18, 1947;  
8:48 a. m.]

[Vesting Order 8645]

CARL STUETZEL

In re: Trust Indenture of Carl Stuetzel, dated December 23, 1926. File D-28-9954; E. T. sec. 14116.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Irene Clara Mayer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in, to and under indenture of trust of Carl Stuetzel, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by State Street Trust Company, as trustee, acting under the judicial supervision of the Probate Court of Suffolk County, Massachusetts;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3782; Filed, Apr. 18, 1947;  
8:49 a. m.]

[Vesting Order 8647]

ALVIN VOLL

In re: Estate of Alvin Voll, also known as Alvin Julius Foll, deceased. File D-28-9720; E. T. sec. 13620.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Voll (nephew), Lina Voll and Arno Voll, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraphs 1 hereof in and to the estate of Alvin Voll, also known as Alvin Julius Foll, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Elise Davis, as Administratrix, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3784; Filed, Apr. 18, 1947;  
8:49 a. m.]



[Vesting Order 8683]

EVA ZELL

In re: Bank account, stock, bond and notes owned by Eva Zell. F-28-5778-A-1, F-28-5778-D-1, F-28-5778-D-2, F-28-5778-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eva Zell, whose last known address is Berlin-Schoenberg, Merseburger Strasse 5, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, arising out of a savings account, Account Number 1,118,180, entitled Mrs. Meta Richter Randel, and any and all rights to demand, enforce and collect the same,

b. Five (5) shares of no par value common capital stock of Bismarck Hotel Company, 171 West Randolph Street, Chicago, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by a certificate numbered C02465, registered in the name of Meta Richter Randel, and presently in the custody of The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, together with all declared and unpaid dividends thereon,

c. One hundred (100) shares of common capital stock of Cities Service Company, 60 Wall Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered VL 288189 for 63 shares and VL 262627 for 37 shares, and presently in the custody of The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, together with all declared and unpaid dividends thereon,

d. One (1) St. Louis-San Francisco Ry. Co., consolidated Series "A"  $4\frac{1}{2}\%$  mortgage bond, 1978, of \$1,000.00 face value, bearing the number 21650, and presently in the custody of The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, together with any and all rights thereunder and thereto, and

e. Two (2) Mortgage & Real Estate Corporation Series "A" 5% Liquidation Notes, dated 1/1/36, due January 1, 1955, of \$500.00 face value each, bearing the numbers D896 and D1385, registered in the name of Meta Richter Randel, and presently in the custody of The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eva Zell, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3785; Filed, Apr. 18, 1947;  
8:49 a. m.]

[Return Order 11]

BATES MFG. CO. ET AL.

Having considered the claims set forth below and having approved the Vested Property Claims Committee's Determinations and Allowance with respect thereto, which are incorporated by reference herein and filed herewith,<sup>1</sup>

It is ordered, That the claimed property, described below and in the Determinations and Allowance, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned, after adequate provision for conservatory expenses:

Claimant and Claim No., Notice of Intention To Return Published and Property

The Bates Mfg. Co., West Orange, N. J., Claim No. A-367; 12 F. R. 1117, February 20, 1947; Property described in Vesting Order No. 671 (8 F. R. 5004, April 17, 1943), relating to U. S. Letters Patent No. 1,895,409, to the extent owned by claimant immediately prior to the vesting thereof.

Celanese Corp. of America, New York, N. Y., Claim No. A-420; 12 F. R. 1178, February 20, 1947; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to U. S. Letters Patent No. 1,880,067, to the extent owned by claimant immediately prior to the vesting thereof.

Petrolite Corp., Ltd., Los Angeles, Calif., Claim No. A-267; 12 F. R. 1179, February 20, 1947; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to U. S. Letters Patent No. 2,000,018, to the extent owned by claimant immediately prior to the vesting thereof.

Rudolph Waldman, Hartford, Conn., Claims Nos. 126 and A-145; 12 F. R. 1176, February 20, 1947; Property described in Vesting Order No. 205 (7 F. R. 8669, October 27, 1942), relating to Patent Application Serial No. 266,680 (now U. S. Letters Patent No. 2,-

<sup>1</sup> Filed as part of the original document.

302,079), to the extent owned by claimant immediately prior to the vesting thereof.

Rudolph Grodzky and Paul Schleissner, copartners, doing business as Uneeda Notions Manufacturers, Long Island City, N. Y., Claim No. 3316; 12 F. R. 1375, February 26, 1947; Property described in Vesting Order No. 678 (8 F. R. 5039, April 17, 1943), relating to U. S. Letters Patent No. 2,068,195, to the extent owned by claimant immediately prior to the vesting thereof.

Emil Zipper, Santa Monica, Calif., Claims Nos. A-191, A-192, A-193 (consol.); 12 F. R. 1356, February 25, 1947; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), and Vesting Order No. 205 (7 F. R. 8669, October 27, 1942), relating to U. S. Letters Patent Nos. 1,959,754 and 2,242,896, and Patent Application Serial No. 336,290 (now U. S. Letters Patent No. 2,376,889), to the extent owned by claimant immediately prior to the vesting thereof.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 14, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-3786; Filed, Apr. 18, 1947;  
8:49 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-606]

TENNESSEE GAS AND TRANSMISSION CO.  
AND CHICAGO CORP.

ORDER FURTHER POSTPONING HEARING

It appearing to the Commission that: Good cause exists for further postponing the hearing in the above-docketed matter heretofore set to commence on April 21, 1947; and

The Commission orders that: The public hearing in the above-docketed matter is hereby postponed to May 26, 1947, commencing at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: April 15, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-3747; Filed, Apr. 18, 1947;  
8:50 a. m.]

[Docket No. G-861]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

APRIL 16, 1947.

Notice is hereby given that, on April 16, 1947, the Federal Power Commission issued its findings and order entered April 15, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-3748; Filed, Apr. 18, 1947;  
8:50 a. m.]



## FEDERAL TRADE COMMISSION

[File No. 21-286]

COSMETICS AND TOILET PREPARATIONS  
INDUSTRYNOTICE OF HOLDING OF TRADE PRACTICE  
CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C. on the 16th day of April 1947.

Notice is hereby given that a Trade Practice Conference for the Cosmetics and Toilet Preparations Industry will be held by the Federal Trade Commission at the Waldorf-Astoria Hotel, 50th Street and Park Avenue, New York City, on May 12, 1947, beginning at 9:30 a. m., e. s. t. (10:30 a. m., daylight saving time). Products of the industry comprise the great variety of cosmetics, toilet preparations, and devices or accessories sold in combination therewith, which are produced or marketed by this industry. All persons, firms, corporations, or organizations, engaged in the business of manufacturing such products, or importing or placing them on the market, are invited to attend or be represented at the conference. The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

By direction of the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 47-3790; Filed, Apr. 18, 1947;  
8:50 a. m.]INTERSTATE COMMERCE  
COMMISSION

[S. O. 717]

## UNLOADING OF PIPE AT BOWIE, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of April A. D. 1947.

It appearing, that 2 cars containing pipe at Bowie, Texas, on The Chicago, Rock Island and Pacific Railway Company (Joseph B. Fleming and Aaron Colnon, Trustees), have been on hand under load for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Pipe at Bowie, Tex., be unloaded.* The Chicago, Rock Island and Pacific Railway Company (Joseph B. Fleming and Aaron Colnon, Trustees), its agents or employees, shall unload immediately cars B&O 254561 and PRR 775757, loaded with pipe, now on hand at Bowie, Texas, consigned to Bennett Brothers Drilling Company.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Com-

merce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., April 17, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 47-3752; Filed, Apr. 18, 1947;  
8:51 a. m.]

[No. 29721]

ALL-RAIL COMMODITY RATES BETWEEN  
CALIFORNIA, OREGON, AND WASHINGTON

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 15th day of April A. D. 1947.

Good cause appearing therefor: *It is ordered.* That the order of March 27, 1947, (12 F. R. 2202) in the above-entitled proceeding be, and it is hereby, amended by striking out the figure "1335" in the column headed "Item No." in Appendix A and substituting therefor "9870".

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 47-3753; Filed, Apr. 18, 1947;  
8:51 a. m.]

[No. 29722]

## PACIFIC COASTWISE WATER RATES

At a general session of the Interstate Commerce Commission, held at its office

in Washington, D. C., on the 15th day of April A. D. 1947.

Good cause appearing therefor: *It is ordered.* That the order of March 27, 1947 (12 F. R. 2202), in the above-entitled proceeding be, and it is hereby, amended by adding to Appendix A the following:

Item No.:	Commodity
1250	Rice.
1325, 1330, 2530, 3060	Soda ash.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 47-3754; Filed, Apr. 18, 1947;  
8:51 a. m.]OFFICE OF DEFENSE  
TRANSPORTATION

[Special Allocation Order ODT R-2, Amdt. 1]

ALLOCATION OF TANK CARS FOR USE IN  
TRANSPORTATION OF LIQUEFIED PETRO-  
LEUM GAS

Pursuant to Title III of the Second War Powers Act, as amended, Executive Order 8989, as amended, and Executive Order 9729, Special Allocation Order ODT R-2 (12 F. R. 2211, 2341) is hereby amended by substituting for Car No. USQX 12326 where it appears in the appendix to said order under the name of Sun Oil Co., Car No. USQX 12357.

This Amendment 1 to Special Allocation Order ODT R-2 shall become effective on April 16, 1947.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Law 29, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 16th day of April 1947.

HOMER C. KING,  
Deputy Director,

Office of Defense Transportation.

[F. R. Doc. 47-3791; Filed, Apr. 18, 1947;  
8:50 a. m.]SECURITIES AND EXCHANGE  
COMMISSION

[File No. 1-2118]

CHICAGO, MILWAUKEE, ST. PAUL AND  
PACIFIC RAILROAD CO.ORDER GRANTING APPLICATION TO STRIKE  
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April A. D. 1947.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, and the 5% Non-Cumulative Preferred Stock, \$100 Par Value, of Chicago, Milwaukee, St. Paul and Pacific Railroad Company;



Appropriate notice and opportunity for hearing having been given to interested persons and the public generally;

No request having been received from any interested person for a hearing in this matter; and

The Commission having duly considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on April 24, 1947.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-3761; Filed, Apr. 18, 1947;  
8:47 a. m.]

[File No. 7-977]

**CHICAGO AND NORTH WESTERN RAILWAY CO.  
FINDINGS AND ORDER GRANTING PERMISSION  
TO EXTEND UNLISTED TRADING PRIVILEGES**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April A. D. 1947.

The Boston Stock Exchange has made application to the Commission pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rules X-12F-1 for permission to extend unlisted trading privileges to the Voting Trust Certificates for the No Par Value Common Stock of Chicago and North Western Railway Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the Chicago Stock Exchange and the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Boston Stock Exchange for the purpose of this application is the New England States exclusive of Fairfield County, Connecticut; that out of a total of 800,977 shares outstanding, 50,490 shares are owned by 828 shareholders in the vicinity of the Boston Stock Exchange; and that in the vicinity of the Boston Stock Exchange there were 907 transactions involving 61,260 shares from January 1, 1946, to December 31, 1946;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Ex-

change Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Voting Trust Certificates for the No Par Value Common Stock of Chicago and North Western Railway Company be, and the same is, hereby granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-3762; Filed, Apr. 18, 1947;  
8:47 a. m.]

[File No. 812-489]

**NATIONAL AVIATION CORP.**

**NOTICE OF APPLICATION, STATEMENT OF  
ISSUES AND NOTICE OF HEARING**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April A. D. 1947.

Notice is hereby given that National Aviation Corporation has filed an application pursuant to sections 10 (f) and 17 (b) of the Investment Company Act of 1940 for an order granting exemption from the provisions of sections 10 (f) and 17 (a) of said act so as to permit the applicant to purchase from Hornblower & Weeks or Paine, Webber, Jackson & Curtis, not to exceed 2.8% of the total number of shares of Cumulative Preference Stock proposed to be issued by Northwest Airlines, Inc.

National Aviation Corporation is a closed-end, nondiversified, management company registered under the Investment Company Act of 1940. Certain directors of National Aviation Corporation are partners in either Hornblower & Weeks or in Paine, Webber, Jackson & Curtis, members of the syndicate which proposes to underwrite the Cumulative Preference Stock to be issued by Northwest Airlines, Inc.

Section 10 (f) of the act prohibits a registered investment company from knowingly purchasing or otherwise acquiring during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer), if a principal underwriter of such securities is a person of which a director of the registered investment company is an affiliated person. Section 17 (a) (1) of the act prohibits any affiliated person of an affiliated person of a registered investment company, acting as principal, from knowingly selling any security or other property to such registered company subject to certain exceptions not herein applicable. The applicant has therefore filed an application pursuant to sections 10 (f) and 17 (b) of the act requesting an order granting exemption from the provisions of sections 10 (f) and 17 (a) of the act, and asserting that the proposed transaction meets the standards of the act and of section 17 (b) in particular.

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

The Corporation Finance Division of the Commission has advised the Commission that, upon a preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination:

(1) Whether the proposed transaction is fair and reasonable;

(2) Whether the proposed transaction involves overreaching on the part of any person concerned;

(3) Whether the proposed transaction is consistent with the policy of National Aviation Corporation as recited in its registration statement and reports filed under the act;

(4) Whether the proposed transaction has been proposed for the purpose of stimulating the market in the securities of Northwest Airlines, Inc. or for the purpose of relieving the underwriting syndicate, or any members thereof, of securities otherwise unmarketable;

(5) Whether the proposed transaction is consistent with the protection of investors;

(6) Whether the proposed transaction is consistent with the general purposes of the act.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid application be held on April 29, 1947, at 10:00 a. m., Eastern Standard Time, Room 318 in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W. Swift, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-mentioned National Aviation Corporation; Northwest Airlines, Inc.; Hornblower & Weeks; Paine, Webber, Jackson & Curtis; and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise desiring to participate in said proceedings should file with the Secretary of the Commission, on or before April 25, 1947 his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-3760; Filed, Apr. 18, 1947;  
8:47 a. m.]